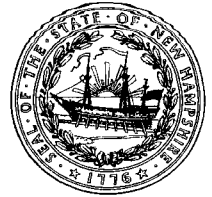




The State of New Hampshire  
**Department of Environmental Services**



Michael P. Nolin  
Commissioner

March 31, 2006

Mr. Richard Salz  
466 Route 9  
Chesterfield, New Hampshire 03443

**CERTIFIED MAIL (7005 1160 0004 7467 6543)  
RETURN RECEIPT REQUESTED  
NOTICE OF PAST VIOLATION  
(Burn)**

Dear Mr. Salz:

On March 20, 2006, the New Hampshire Department of Environmental Services, Air Resources Division ("DES") was notified by Merrill Yeaw, Chesterfield Fire Warden, that non-conforming materials had been burned at 466 Route 9, Chesterfield, New Hampshire (the "Property"). Fire Warden Yeaw reported that on Friday, March 17, 2006, you were burning non-conforming material, including plastic coated copper electrical wire, in a 275-gallon tank at the Property. He told DES that you are the owner of the Property.

On March 17 and 18, 2006, Fire Warden Yeaw met with you at the Property and determined that open burning was not conducted in accordance with the NH Code of Administrative Rules, Env-A 100 *et seq.*, specifically, Env-A 1000, *Prevention, Abatement, and Control of Open Source Air Pollution*, and RSA 125-C, *Air Pollution Control Act*. You explained that you were only burning wood in the tank. However, during the inspections Fire Warden Yeaw observed blue flames and charred wire was found in the tank once the fire was extinguished.

On March 21, 2006, DES personnel called you to discuss the open burning that occurred on March 17, 2006. You stated that Fire Warden Yeaw gave you information relating to the State ban on trash burning and a copy of Env-A 1000. You stated that you learned from the information that it is illegal to burn plywood because of the glues in the wood. DES personnel reviewed the NH Administrative Rules with you relative to burning.

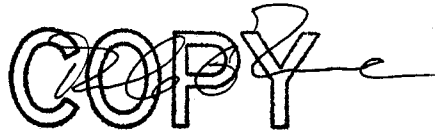
The purpose of this letter is to notify you of the violations that took place on March 17, 2006, as well as the requirements surrounding open burning, so that you can prevent future violations. The specific violations are as follows:

1. Env-A 1001.04 states that open burning in any part of the state shall be permissible only when the burning is authorized by an official having jurisdiction over open burning, whenever authorization is required, and includes only materials burned in conformance with the rules. Conforming materials include brush, leaves, and untreated wood. Fire Warden Yeaw observed you burning electrical wire in a tank on the Property on March 17, 2006, and issued you a warning for burning without a permit.
2. Env-A 1001.08(b) provides that no salvaging or reclaiming operation shall burn anything on-site in the ambient air. On March 17, 2006, it appeared that you were attempting to reclaim copper wire by burning off the plastic coating on the electrical wire.

Since the burning of non-conforming materials has ceased, DES believes that no further action is required at this time in response to the listed violations. In the event that additional violations are identified, DES may take action, including issuing an administrative order, seeking administrative fines, and/or referring this matter to the New Hampshire Department of Justice for civil and/or criminal penalties.

If you believe that DES has cited these violations in error, or have questions regarding these matters, please contact Barbara Hoffman at (603) 271-7874, Air Resources Division, Compliance Bureau. A current copy of the Air Resources Division rules can be obtained from the DES website at <http://www.des.nh.gov/rules/air.htm> or by contacting the Public Information Center at (603) 271-2975.

Sincerely,

A handwritten signature in black ink is written over the word "COPY", which is printed in large, bold, capital letters. The signature appears to be "P. Monroe".

Pamela G. Monroe  
Compliance Bureau Administrator  
Air Resources Division

PGM/asb

Enc.: Env-A 1001, *Open Burning*

cc: R. Kurowski, EPA Region 1  
G. Hamel, DES Legal Unit Administrator  
Louis Perham, Chesterfield Fire Chief  
Merrill Yeaw, Chesterfield Fire Warden  
Lester Fairbanks, Chesterfield Police Department  
Chair, Chesterfield Board of Selectmen  
Beverly G. Rawling  
File